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8	BEFORE THE DIVISION OF MEDICAL QUALIT	Y	
9	MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS		
10	STATE OF CALIFORNIA		
11		No. 06-97-81960	
12	-	ULT DECISION	
13	VERONICA U. IKOKU, M.D. 3 455 North Prairie Avenue) [Gov.	Code §11520]	
14	Inglewood, California 90301)		
15	Physician and Surgeon's Certificate) No. A34173		
16	Respondent.)		
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18	FINDINGS OF FACT		
19	1. On or about August 19, 1999, Complainant Ron		
20	Joseph, in his official capacity as Executive Director of the		
21	Medical Board of California (the "Board"), Department of Consumer		
22	Affairs, State of California filed Accusation No. 06-97-81960		
23	against Veronica U. Ikoku, M.D. ("respondent") before the		
24	Division of Medical Quality (the "Division").		
25	2. On or about July 30, 1979, respondent was issued		
26	Physician and Surgeon's Certificate No. A34173 ("license") by the		
	II		

27 Board. At all times relevant herein, the license was in full

surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the license on any such ground."

- 6. Government Code section 11506 provides, in pertinent part:
 - "(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all parts of the accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing. . . ."
- 7. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation and therefore waived her right to a hearing on the merits of Accusation No. 06-97-81960.
- 8. California Government Code section 11520 provides, in pertinent part:
 - "(a) If the respondent either fails to file a notice of defense or to appear at the hearing, the agency may take action based upon the respondent's express admissions or upon other evidence and affidavits may be used as evidence without any notice to respondent; ..."

9. Pursuant to its authority under Government Code section 11520, the Division finds the respondent is in default. The Division will take action without further hearing and, based on the respondent's admissions by way of default and the evidence before it, contained in Appendix A, finds that the allegations, and each of them, in Accusation No. 06-97-81960 are true.

DETERMINATION OF ISSUES

- Respondent's Physician and Surgeon's Certificate 1. is subject to disciplinary action by the Division pursuant to section 2227 of the Business and Professions Code by reason of the Findings of Fact set forth above.
- Service of the Accusation and related documents was proper and in accordance with the law.
- The agency has jurisdiction to adjudicate this 3. case by default.
- The Division is authorized to revoke respondent's Physician and Surgeon's Certificate based upon violations of the following provisions of the Business and Professions Code charged in the Accusation:
 - Section 821 (failure to comply with an order issued under section 820).

ORDER OF THE DIVISION OF MEDICAL QUALITY MEDICAL BOARD OF CALIFORNIA

Physician and Surgeon's Certificate number A34173, heretofore issued to respondent Veronica U. Ikoku, M.D., is hereby revoked.

An effective date of <u>January 7, 2000</u>, has been assigned to this Order.

Pursuant to Government Code section 11520, subdivision (c), the respondent may serve a written motion requesting that the decision be vacated and stating the grounds relied on within seven (7) days after service of the decision on the respondent. The agency in its discretion may vacate the decision and grant a hearing on a showing of good cause, as defined in the statute.

Made this 8th day of December , 1999.

IRA LUBELL, M.D., President

MEDICAL BOARD OF CALIFORNIA

MEDICAL QUALITY

FOR THE DIVISION OF

03573160-LA98AD

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Attachment: Appendix A

FILED STATE OF CALIFORNIA BILL LOCKYER, Attorney General MEDICAL BOARD OF CALIFORNIA of the State of California MARK T. ROOHK, (State Bar No. 132698) SACRAMENTO Mugust 19 Deputy Attorney General California Department of Justice 3 300 South Spring Street, Suite 5212 Los Angeles, California 90013 4 Telephone: (213) 897-2568 Attorneys for Complainant 6 7 BEFORE THE DIVISION OF MEDICAL QUALITY 8 MEDICAL BOARD OF CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS 9 STATE OF CALIFORNIA 10 11 In the Matter of the Accusation No. 06-97-81960 12 Against: ACCUSATION 13 VERONICA U. IKOKU, M.D. 455 North Prairie Avenue 14 Inglewood, California 90301 15 Physician and Surgeon's Certificate No. A34173 16 17 Respondent. 18 19 Complainant alleges: 20 **PARTIES** 21 Complainant, Ron Joseph, is the Executive Director 1. 22 of the Medical Board of California ("Board"), and brings this 23 accusation solely in his official capacity. 24 On or about July 30, 1979, the Board issued 25 Physician and Surgeon's certificate number A34173 ("license") to 26 Veronica U. Ikoku, M.D. ("respondent"). The license expired on 27

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May 31, 1999, but has otherwise been in full force and effect at all times relevant herein.

JURISDICTION

- 3. This accusation is brought before the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs ("Division"), under the authority of the following sections of the California Business and Professions Code ("Code"):
 - A. Section 2227 of the Code provides that a licensee who is found guilty under the Medical Practice Act may have her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Division deems proper.
 - B. Section 820 of the Code provides in pertinent part, "Whenever it appears that any person holding a [physician and surgeon's] certificate . . . may be unable to practice his or her profession safely because the licentiate's ability to practice is impaired due to mental illness, or physical illness affecting competency, the [Division] may order the licentiate to be examined by one or more physicians and surgeons or psychologists designated by the [Division] . . ."
 - C. Section 821 of the Code provides that a licentiate's failure to comply with an order issued under section 820 shall constitute grounds for the suspension or revocation of the licentiate's certificate or license.

COST RECOVERY

D. Section 125.3(a) provides in pertinent part that the Division may request the administrative law judge to direct a licensee found to have committed a violation or violations of the Medical Practice Act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

WELFARE AND INSTITUTIONS CODE

- E. Section 14124.12 of the Welfare and Institutions Code provides, in pertinent part, that:
- Upon receipt of written notice from the Medical Board of California. . .that a licensee's license has been placed on probation as a result of a disciplinary action, the department may not reimburse any Medi-Cal claim for the type of surgical service or invasive procedure that gave rise to the probation. . .that was performed by the licensee on or after the effective date of probation and until the termination of all probationary terms and conditions or until the probationary period has ended, whichever occurs This section shall apply except in any case in which [the Board] determines that compelling circumstances warrant the continued reimbursement during the probationary period of any Medi-Cal claim. . . In such a case, the department shall continue to reimburse the licensee for all procedures, except for those invasive or surgical procedures for which the licensee was placed on probation.

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FIRST CAUSE FOR DISCIPLINE

- 4. Respondent is subject to disciplinary action under section 821 of the Business and Professions Code in that she has failed to comply with an order issued under section 820. The circumstances are as follows:
 - A. On or about June 14, 1999, the Division issued an order compelling respondent to undergo a mental examination. The order was issued after Complainant petitioned the Board pursuant to Business and Professions Code section 820 (the Petition and its exhibits are incorporated by reference as if set forth in full at this point). The order provided in pertinent part that the examination should be conducted no later than thirty (30) days from the date of the order. The order was served on respondent at her address of record with the Board, and she was instructed by letter to contact the Torrance District Office as soon as she received the order.
 - B. Respondent did not contact the Board office in the week following service of the order. On or about June 21, 1999, respondent was informed by letter that an examination had been scheduled for her on July 5, 1999, at the office of James Rosenberg, M.D., in West Los Angeles. Respondent was instructed to contact Dr. Rosenberg no later than July 1, 1999, to confirm the examination time and date. The letter was sent to respondent by certified mail, and was served at all known addresses, including her address of record and her home.

C. As of August 1, 1999, respondent has not 1 contacted the Board or Dr. Rosenberg regarding the 2 examination, and has not complied in any way with the 3 Division's order. 4 5 **PRAYER** 6 WHEREFORE, the complainant requests that a hearing be 7 held on the matters herein alleged, and that following the 8 hearing, the Division issue a decision: 9 Revoking or suspending physician's and surgeon's 10 1. certificate number A34173, heretofore issued to respondent 11 Veronica U. Ikoku, M.D.; 12 Revoking, suspending or denying approval of 13 respondent's authority to supervise physician's assistants, 14 pursuant to section 3527 of the Code; 15 Ordering respondent to pay the Division the 3. 16 reasonable costs of the investigation and enforcement of this 17 case and, if placed on probation, the costs of probation 18 monitoring; 19 Taking such other and further action as the 20 21 Division deems necessary and proper. DATED: August 19, 1999 22 23 RON JOSEPH 24 Executive Director Medical Board of California 25 Department of Consumer Affairs

Complainant

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State of California